

Testimony

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Duty to Dispense Legislation Needed in Michigan
HB 5164

My name is Julie Taiber, and I am a stay-at-home mom in Okemos, Michigan. Earlier this year, I experienced firsthand what it feels like when a pharmacist's personal "morality meter" prevents my access to a perfectly safe, legal medication. The experience is something like being judged and condescended to by a person with an unwarranted superiority complex, and it is embarrassing and maddening at the same time. I am writing this testimony to urge your support of HB 5164.

Pharmacists, whom the State licenses, should not be allowed to keep their licenses when they use them not to serve the public, but to impose their religious, ethical, and/or other parochial beliefs on customers.

In January, I went to the PGPA pharmacy in Okemos Road in Okemos for Plan B, a safe, over-the-counter medication designed to prevent pregnancy when taken up to 72 hours after unprotected sex, or in my case, due to faulty birth control (not unprotected sex). I am not a serial user of emergency contraception; this was the first time I've attempted to purchase it, and I naively assumed that the pharmacy I had done business with for the past 4 ½ years would dispense it. As a 40 year old with three children under the age of seven, I had no intention of risking a pregnancy.

Initially, a technician told me that the owners wouldn't carry Plan B because they were Roman Catholic. I then spoke directly to the owner, who rambled off some specious justifications for not carrying it, such as their hours, the shelf space, and the location of the pharmacy. These arguments make no sense, since they are never closed for more than 72 hours, they had sufficient shelf space to special order three types of fluoride for my children, and they are located at the intersection of two major roads in Okemos. She then tellingly said that the pharmacy wouldn't carry it and that *they didn't have to*.

The religious beliefs of a Michigan pharmacy owner/pharmacist denied me – a married 40 year old mother of three – legal and safe emergency contraception. Have no doubt, the experience was thoroughly embarrassing for me, so I can only imagine how debilitating a similar experience would be for a woman nearing the end of the 72 hours in which the medication must be administered, or for a panicky

young woman being told by an official-looking person in a white coat that emergency contraception is a sin, even if those words are implied.

The First Amendment protects freedom of religion, and pharmacists are free to believe whatever they wish. But, they are not free to practice their profession in any way they wish. The State of Michigan regulates pharmaceutical practice—and must prohibit pharmacists from setting up anti-birth control businesses to deny women legal drugs and belittle those who seek them. Unfortunately, the duty to dispense is not observed all the time in our state. Pharmacy license is a privilege, not a right, and with the privilege comes the responsibility to make medication available even if the pharmacist doesn't "approve" of it. To do otherwise is a violation of the privilege of their practice.

I urge you to support HB 5164 to force pharmacists to do their job – provide safe and legal medications to those in need.